

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2009-173845-001 DT

12/06/2013

HONORABLE DAVID B. GASS

CLERK OF THE COURT

E. Aguilar

Deputy

STATE OF ARIZONA

KAREN L PUGH

MARYANN MCKESSY

v.

DANNY WISE (001)

DIEGO RODRIGUEZ

JOHN W BLISCHAK

DOB: 08/05/1956

APO-SENTENCE IMPRISON-CCC

APPEALS-CCC

AZ DOC

COURT ADMIN-CRIMINAL-CCC

DISPOSITION CLERK-CSC

RFR

**SENTENCE OF IMPRISONMENT**

11:20 a.m.

Courtroom CCB 903

State's Attorney: Karen Pugh and Maryann McKessy

Defendant's Attorney: Diego Rodriguez and John Blischak

Defendant: Present

Court Reporter: Karen Dawson

LET THE RECORD REFLECT the victims are present in the courtroom. Carl Farless, Arthur Kreitenberg, Melissa Kreitenberg and Sean Gillespie address the Court.

LET THE RECORD FURTHER REFLECT Steven Graf and the Defendant address the Court.

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LET THE RECORD FURTHER REFLECT the Court has read and considered the presentence report and its recommendations, including letters written by the victims, letters written on behalf of the Defendant as well as the State's Sentencing Memorandum and Defendant's Sentencing Memorandum, the plea agreement and any sentencing stipulations of the parties.

Counts 1 - 30: The Defendant was found guilty after a trial by jury verdicts.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 20th day of June 2008

Non Dangerous - Non Repetitive

OFFENSE: Count 2 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 20th day of June 2006

Non Dangerous - Non Repetitive

OFFENSE: Count 3 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 25th day of September 2006

Non Dangerous - Non Repetitive

OFFENSE: Count 4 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 2nd day of October 2006

Non Dangerous - Non Repetitive

OFFENSE: Count 5 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 18th day of January 2007

Non Dangerous - Non Repetitive

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OFFENSE: Count 6 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 22nd day of January 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 7 Theft

Class 3 Theft

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 29th day of January 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 8 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 20th day of September 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 9 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 24th day of September 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 10 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 2nd day of October 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 11 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 9th day of October 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 12 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

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Date of Offense: on or about the 11th day of January 2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 13 Theft  
Class 3 Felony  
A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801  
Date of Offense: on or about the 25th day of January 2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 14 Theft  
Class 3 Felony  
A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801  
Date of Offense: on or about the 18th day of April 2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 15 Theft  
Class 3 Felony  
A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801  
Date of Offense: on or about the 24th day of April 2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 16 Theft  
Class 3 Felony  
A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801  
Date of Offense: on or about the 12th day of May 2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 17 Fraudulent Schemes and Artifices  
Class 2 Felony  
A.R.S. § 13-2310, 13-701, 13-702, 13-702.01, and 13-801  
Date of Offense: on or between the 20th day of June 2006 and the 12th day of May 2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 18 Fraudulent Schemes and Artifices  
Class 2 Felony  
A.R.S. § 13-2310, 13-701, 13-702, 13-702.01, and 13-801  
Date of Offense: on or about the 21st day of April 2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 19 Theft

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Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 21st day of April 2008

Non Dangerous - Non Repetitive

OFFENSE: Count 20 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 13th day of April 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 21 Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-2310, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 13th day of April 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 22 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 17th day of January 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 23 Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 17th day of January 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 24 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 19th day of December 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 25 Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-2310, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 19th day of December 2007

Non Dangerous - Non Repetitive

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OFFENSE: Count 26 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 22nd day of April 2008

Non Dangerous - Non Repetitive

OFFENSE: Count 27 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801

Date of Offense: on or about the 11th day of August 2008

Non Dangerous - Non Repetitive

OFFENSE: Count 28 Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-2310, 13-701, 13-702, 13-702.01, and 13-801

2008 Date of Offense: on or between the 22nd day of April 2008 and the 11th day of August

Non Dangerous - Non Repetitive

OFFENSE: Count 29 Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-2310, 13-701, 13-702, 13-702.01, and 13-801

2009 Date of Offense: on or between the 15th day of April 2008 and the 10th day of March

Non Dangerous - Non Repetitive

OFFENSE: Count 30 Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-2310, 13-701, 13-702, 13-702.01, and 13-801

2009 Date of Offense: on or between the 15th day of April 2008 and the 12th day of September

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 7.5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

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Sentence is concurrent with Counts 2 - 17.

Count 2: 7.5 years from December 06, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated  
Sentence is concurrent with Counts 1, and 3 - 17.

Count 3: 5 years from December 06, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated  
Sentence is concurrent with Counts 1 and 2 and Counts 4 - 17.

Count 4: 5 years from December 06, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated  
Sentence is concurrent with Counts 1 - 3, and Counts 5 - 17.

Count 5: 5 years from December 06, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated  
Sentence is concurrent with Counts 1 - 4 and Counts 6 - 17.

Count 6: 5 years from December 06, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated  
Sentence is concurrent with Counts 1 - 5 and Counts 7 - 17.

Count 7: 5 years from December 06, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated  
Sentence is concurrent with Counts 1 - 6 and Counts 8 - 17.

Count 8: 5 years from December 06, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated  
Sentence is concurrent with Counts 1 - 7 and Counts 9 - 17.

Count 9: 5 years from December 07, 2013  
Presentence Incarceration Credit: 425 days  
Slightly Aggravated

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Sentence is concurrent with Counts 1 - 8 and Counts 10 - 17.

Count 10: 5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

Sentence is concurrent with Counts 1 - 9 and Counts 11 - 17.

Count 11: 5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

Sentence is concurrent with Counts 1 - 10 and Counts 12 - 17.

Count 12: 5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

Sentence is concurrent with Counts 1 - 11 and Counts 13 - 17.

Count 13: 5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

Sentence is concurrent with Counts 1 - 12 and Counts 14 - 17.

Count 14: 5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

Sentence is concurrent with Counts 1 - 13 and Counts 15 - 17.

Count 15: 5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

Sentence is concurrent with Counts 1 - 14 and Counts 16 and 17.

Count 16: 5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated

Sentence is concurrent with Counts 1 - 15 and Count 17.

Count 17: 7.5 years from December 06, 2013

Presentence Incarceration Credit: 425 days

Slightly Aggravated



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Sentence is concurrent with Counts 1 - 16.

Count 18: 7.5 years from to begin upon completion of sentences in Counts 1 - 17  
Presentence Incarceration Credit: zero days  
Slightly Aggravated

Sentence is concurrent with Count 19 and consecutive to Counts 1 - 17.

Count 19: 7.5 years from to begin upon completion of sentences in Counts 1 - 17  
Presentence Incarceration Credit: zero days  
Slightly Aggravated

Sentence is concurrent with Count 18 and consecutive to Counts 1 - 17.

Count 20: 7.5 years from to begin upon completion of sentences in Counts 1 - 17 and  
Counts 18 -19  
Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 21 - 25 and consecutive to Counts 1 - 17 and Counts  
18 - 19.

Count 21: 7.5 years from to begin upon completion of sentences in Counts 1 - 17 and  
Counts 18 -19  
Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Count 20, and Counts 22 - 25 and consecutive to Counts 1 -  
17 and Counts 18 - 19.

Count 22: 7.5 years from to begin upon completion of sentences in Counts 1 - 17 and  
Counts 18 - 19  
Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 20, 21, and 23 - 25 and consecutive to Counts 1 - 17  
and Counts 18 -19.

Count 23: 7.5 years from to begin upon completion of sentences in Counts 1 - 17 and  
Counts 18 -19

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Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 20, 21, 22, and Counts 24 and 25 and consecutive to Counts 1 - 17 and Counts 18 - 19.

Count 24: 7.5 years from to begin upon completion of sentences in Counts 1 - 17 and Counts 18 - 19

Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 20, 21, 22, 23, and 25 and consecutive to Counts 1 - 17, and Counts 18 - 19.

Count 25: 7.5 years from to begin upon completion of sentences in Counts 1 - 17 and Counts 18 - 19

Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 20 - 24 and consecutive to Counts 1 - 17 and Counts 18 - 19.

Count 26: 7.5 years from to begin upon completion of sentences in Counts 1 - 17, Counts 18 - 19, and Counts 20 - 25

Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 27 and 28 and consecutive to Counts 1 - 17, Counts 18 - 19, and Counts 20 - 25.

Count 27: 5 years from to begin upon completion of sentences in Counts 1 - 17, Counts 18 - 19, and Counts 20 - 25

Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 26 and 28 and consecutive to Counts 1 - 17, Counts 18 - 19, and Counts 20 - 25.

Count 28: 7.5 years from to begin upon completion of sentences in Counts 1 - 17, Counts 18 - 19, and Counts 20 - 25

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Presentence Incarceration Credit: zero days  
Aggravated

Sentence is concurrent with Counts 26, and 27 and consecutive to Counts 1 - 17, Counts 18 - 19, and Counts 20 - 25.

Count 29: 5 years from to begin upon completion of sentences in Counts 1 - 17, Counts 18 - 19, Counts 20 - 25, and Counts 26 - 28

Presentence Incarceration Credit: zero days  
Presumptive

Sentence is concurrent with Count 30 and consecutive to Counts 1 - 17, Counts 18 - 19, Counts 20 - 25, and Counts 26 - 28.

Count 30: 5 years from to begin upon completion of sentences in Counts 1 - 17, Counts 18 - 19, Counts 20 - 25, and Counts 26 - 28

Presentence Incarceration Credit: zero days  
Presumptive

Sentence is concurrent with Count 29 and consecutive to Counts 1 - 17, Counts 18 - 19, Counts 20 - 25, and Counts 26 - 28.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$20.00.

The Court will retain jurisdiction over restitution. A Restitution Hearing is set for **February 21, 2014 at 1:30 p.m. in this division.** Defendant waives his presence.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail [cforesponse@mail.maricopa.gov](mailto:cforesponse@mail.maricopa.gov). The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 1 - 30 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED exonerating any bond previously posted in this matter to the party posting same.

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ISSUED: Order Exonerating Bond

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS FURTHER ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS FURTHER ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The State's Exhibit 1 is marked for identification.

Exhibit 1 is offered by the Court and is received in evidence.

FILED: Exhibit Worksheet.

2:59 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE DAVID B. GASS  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)